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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

GUILLERMO TRUJILLO,

Defendant and Appellant.

D063961

(Super. Ct. No. SCS259700)

APPEAL from a judgment of the Superior Court of San Diego County, Theodore M. Weathers, Judge. Affirmed.

Robert Booher, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Guillermo Trujillo was charged by information with robbery (Pen. Code, § 211),¹ assault with a deadly weapon (§ 245, subd. (a)(1)) with an allegation he personally used a dangerous or deadly weapon (§ 1192.7, subd. (c)(23)), and assault by means likely to

¹ Statutory references are to the Penal Code.

cause great bodily injury (§ 245, subd. (a)(4)). The information charged gang enhancements as to all counts (§ 186.22, subd. (b)(1)), and alleged a prison prior (§§ 667.5, subd. (b), 668), and a strike prior (§§ 667, subds. (b)-(i), 1170.12, 668). The parties entered into a plea bargain; Trujillo pleaded guilty to robbery and admitted the gang enhancement allegation in return for a stipulated term of 16 years. Thereafter, he was sentenced in accordance with the plea agreement. Trujillo subsequently filed a notice of appeal challenging the validity of the plea, alleging he was not given all of the discovery he requested, but the court denied his request for a certificate of probable cause.

Trujillo appeals. We affirm the judgment.

FACTS

Trujillo took the personal property of another with force or fear, and did so for the benefit of a criminal street gang.

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738. Counsel identifies as a possible, but not arguable, issue: whether Trujillo's plea was constitutionally valid.

We granted Trujillo permission to file a supplemental brief on his own behalf, but he has not responded. A review of the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436 and *Anders v. California, supra*, 386 U.S. 738 has disclosed no reasonably

arguable appellate issues. Trujillo has been competently represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

McDONALD, J.

WE CONCUR:

HALLER, Acting P. J.

McINTYRE, J.